

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office APR 22 1991

Returned to applicant for correction _____

Corrected application filed _____ Map filed MAY 20 1991 under 56207The applicant Elko Land & Livestock Company, a Nevada CorporationP.O. Box 220 of Battle Mountain
Street and No. or P.O. Box No. City or TownNevada 89820 hereby make application for permission to change the
State and Zip Code No.place of use of a portionPoint of diversion, manner of use, and/or place of useof water heretofore appropriated under Permit No. 31288
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree andIdentify right in Decree.

1. The source of water is underground (well no. 3)
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 4.466 cfs
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point NE $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 3) Section 5, T.34N., R.49E.
Describe as being within a 40-acre subdivision of public survey and by course and
MDM, at a point from which the N $\frac{1}{4}$ Corner of said Section 5 bears N 80° 00' 00"
distance to a section corner. If on unsurveyed land, it should be stated.
E, 305.00 feet
6. The existing permitted point of diversion is located within NE $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 3) Section 5, T.34N.,
If point of diversion is not changed, do not answer.
R.49E., MDM, at a point from which the N $\frac{1}{4}$ Corner of said Section 5 bears N 80°
00' 00" E, 305.00 feet
7. Proposed place of use See Attachment "A"
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use W $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$ Section 5 and the E $\frac{1}{2}$ E $\frac{1}{2}$ Section 6, both in T.34N.,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
R.49E., MDM
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Existing well equipped with motor, pump &
State manner in which water is to be diverted, i.e. diversion structure,
pipeline to pivots in proposed place of use
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works None - Works Completed
13. Estimated time required to construct works None - Works Completed

Send copies to: Elko Land & Livestock Company c/o Newmont Gold Company

P.O. Box 669 Carlin, Nevada 89822 Application filed to show actual

place of use as defined by pivot locations

By s/Michael D. Buschelman
Michael D. Buschelman - Agent
5405 Mae Anne Avenue
Reno, Nevada 89523

Compared bc/bc

Protested.

~~WITHDRAWN BY APPLICANT~~

NOV 30 2005

OF STATE ENGINEERS

Luci, P.E.

STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed _____ cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before_____

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed_____

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. _____ **Issued** _____

IN TESTIMONY WHEREOF, I, _____,
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this _____ day of _____

A.D. 19.....

State Engineer

ATTACHMENT "A"

PROPOSED PLACE OF USE

2.86 ACRES	LOT 1	SECTION 5	T34N, R49E, MDM
35.18 ACRES	LOT 2	SECTION 5	T34N, R49E, MDM
26.20 ACRES	LOT 3	SECTION 5	T34N, R49E, MDM
34.79 ACRES	LOT 4	SECTION 5	T34N, R49E, MDM
36.32 ACRES	SW $\frac{1}{4}$ NW $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
28.69 ACRES	SE $\frac{1}{4}$ NW $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
36.93 ACRES	SW $\frac{1}{4}$ NE $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
3.33 ACRES	SE $\frac{1}{4}$ NE $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
33.22 ACRES	NW $\frac{1}{4}$ SW $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
36.33 ACRES	SW $\frac{1}{4}$ SW $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
32.87 ACRES	SE $\frac{1}{4}$ SW $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
26.06 ACRES	NE $\frac{1}{4}$ SW $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
34.11 ACRES	NW $\frac{1}{4}$ SE $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
38.35 ACRES	SW $\frac{1}{4}$ SE $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
3.92 ACRES	SE $\frac{1}{4}$ SE $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
2.42 ACRES	NE $\frac{1}{4}$ SE $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
27.31 ACRES	LOT 1	SECTION 6	T34N, R49E, MDM
29.42 ACRES	SE $\frac{1}{4}$ NE $\frac{1}{4}$	SECTION 6	T34N, R49E, MDM
24.67 ACRES	NE $\frac{1}{4}$ SE $\frac{1}{4}$	SECTION 6	T34N, R49E, MDM
30.26 ACRES	SE $\frac{1}{4}$ SE $\frac{1}{4}$	SECTION 6	T34N, R49E, MDM
.69 ACRES	NE $\frac{1}{4}$ NE $\frac{1}{4}$	SECTION 7	T34N, R49E, MDM
1.27 ACRES	NW $\frac{1}{4}$ NW $\frac{1}{4}$	SECTION 8	T34N, R49E, MDM
1.18 ACRES	NE $\frac{1}{4}$ NW $\frac{1}{4}$	SECTION 8	T34N, R49E, MDM
2.90 ACRES	NW $\frac{1}{4}$ NE $\frac{1}{4}$	SECTION 8	T34N, R49E, MDM
529.28 ACRES TOTAL			

